

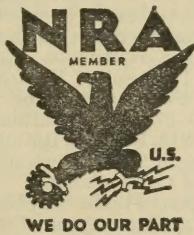
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

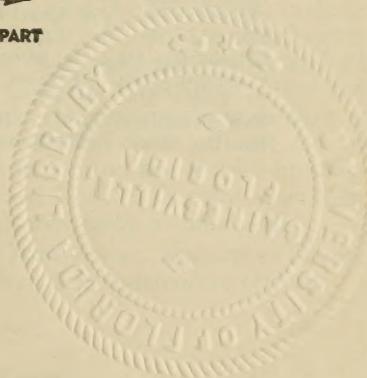
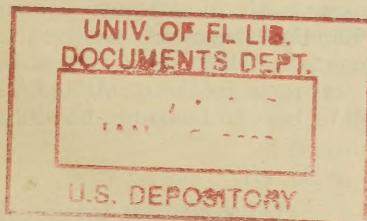
FOR THE

FLUTED CUP, PAN LINER
AND LACE PAPER INDUSTRY

AS APPROVED ON OCTOBER 9, 1934



WE DO OUR PART



UNITED STATES
GOVERNMENT PRINTING OFFICE
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Approved Code No. 296—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

**FLUTED CUP, PAN LINER AND LACE PAPER
INDUSTRY**

As Approved on October 9, 1934

ORDER

**APPROVING AMENDMENT TO THE CODE OF FAIR COMPETITION FOR THE
FLUTED CUP, PAN LINER AND LACE PAPER INDUSTRY**

An application having been duly made pursuant to and in full compliance with the provisions of Title I, of the National Industrial Recovery Act, approved June 16, 1933, for approval of amendments to a Code of Fair Competition for the Fluted Cup, Pan Liner and Lace Paper Industry, and due notice and opportunity to be heard having been given thereon and the annexed report on said amendments, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise; does hereby incorporate, by reference, said annexed report and does find that said amendments and the Code as constituted after being amended complies in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendments be and are hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer.*

Approval recommended:

JOSEPH F. BATTLEY,
Acting Division Administrator.

WASHINGTON, D. C.,
October 9, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,

The White House.

SIR: This is a report on the amendments to the Code of Fair Competition for the Fluted Cup, Pan Liner and Lace Paper Industry which was approved by you on February 17, 1934.

The amendments to Article II are the standard Assessment Amendment, providing for compulsory contributions to Code administration expense, and the standard provision establishing the legal relationship between members of the Code Authority and the extent of their liability.

The purpose of the amendments to Article III is to reduce the averaging of hours for office, clerical and all other employees not included under other specific hour provisions, and to increase the number of employees whose work week is reduced to six (6) days in any seven (7) day period.

The purpose of the amendments to Article V is to provide that employees now employed at a rate in excess of the minimum shall not be discharged and reemployed or replaced by other employees at lower rates, and that no employee shall be dismissed by reason of making complaint or giving evidence with respect to an alleged violation of the Code.

The Deputy Administrator in his final report on said amendments to said Code having found as herein set forth and on the basis of all the proceedings in this matter;

It is found, that:

(a) The amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation sub-section (a) of Section 3, sub-section (a) of Section 7, and sub-section (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to propose the amendments on behalf of the Industry as a whole.

(d) The amendments and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendments and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendments.

For these reasons these amendments have been approved.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer.*

OCTOBER 9, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE FLUTED CUP, PAN LINER AND LACE PAPER INDUSTRY

Article II of the Code to be amended by the deletion therefrom of Section 5 and the substitution therefor of a new Section 5 as follows:

SECTION 5. It being found necessary in order to support the administration of this Code and to maintain the standards of fair competition established hereunder, and to effectuate the policy of the Act, the Code Authority is authorized :

(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided, and which shall be held in trust for the purposes of the Code.

(b) To submit to the National Industrial Recovery Board for its approval subject to such notice and opportunity to be heard as it deems necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

(c) After such budget and basis of contribution have been approved by the National Industrial Recovery Board, to determine and obtain equitable contribution as above set forth by all members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the National Industrial Recovery Board. Only members of the Industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contributions, shall be entitled to participate in the selection of members of the Code Authority, or to make use of any emblem or insignia of the National Recovery Administration.

The Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the approved budget, except upon approval by the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates, except those which the National Industrial Recovery Board have so approved.

Article II of the Code to be amended by the addition of a new section 8 as follows:

SECTION 8. Nothing contained in this Code shall constitute the members of the Code Authority partners for any purpose. Nor shall any member of the Code Authority be liable in any manner to anyone for any act of any other member, officer, agent or employee of the Code Authority. Nor shall any member of the Code Authority exercising reasonable diligence in the conduct of his duties hereunder be liable to anyone for any action or omission to act under this Code, except for his own wilful mal-feasance or non-feasance.

Article III of the Code to be amended by the deletion therefrom of sections 1 (f) and 5 and the substitution therefor of new sections 1 (f) and 5 as follows:

SECTION 1 (f). All other employees: forty-eight (48) hours in any one week, but not to exceed one-hundred sixty (160) hours in any period of four (4) consecutive weeks.

SECTION 5. No employee as included under paragraphs (b), (c), (d), and (f) of Section 1 of this Article shall be required or permitted to work more than six (6) days in any seven (7) consecutive days.

Article V of the Code to be amended by the addition of a new section 9 and a new section 10 as follows:

SECTION 9. No employee now employed at a rate in excess of the minimum shall be discharged and reemployed or replaced by another at a lower rate for the purpose of evading the provisions of this Code.

SECTION 10. No employee shall be dismissed or demoted by reason of making complaint or giving evidence with respect to an alleged violation of this Code.

Approved Code No. 296—Amendment No. 1.
Registry No. 407-07.



UNIVERSITY OF FLORIDA



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